

EPA Region 5 Records Ctr.



368664



**The Danis Companies**

110 N. Main Street, Suite 1300  
Dayton, OH 45402

937.228.4141 Phone  
937.228.1217 Fax

**Thomas J. Danis**  
Chairman, President & CEO

October 4, 2005

Fred Bartman, Enforcement Specialist  
U.S. Environmental Protection Agency  
Remedial Enforcement Support Section  
77 West Jackson Boulevard (SR-6J)  
Chicago, IL 60604-3590

Re: ***Wendy L. Carney Letter Dated September 29, 2005***  
***South Dayton Dump & Landfill Site, Moraine, Ohio***

Dear Mr. Bartman:

In response to the above mentioned letter, I direct your attention to the attached letter dated August 26, 2005 that I sent to Ms. Carney in regards to this matter.

Since I have had no response to my August 26 letter, I am assuming that Ms. Carney's September 29, 2005 letter was sent before a response to my August 26 letter could be made.

Sincerely,

Thomas J. Danis

Attachment



**The Danis Companies**

2 Riverplace, Suite 300  
Dayton, OH 45405  
(after 9/30/05:  
110 N. Main Street, Suite 1300  
Dayton, OH 45402)

937.228.4141 Phone  
937.228.1217 Fax

**Thomas J. Danis**  
Chairman, President & CEO

August 26, 2005

United States Environmental Protection Agency  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590

Attr: Ms. Wendy L. Carney,  
Chief Remedial Response Branch #1

Re: ***Your Letter Dated August 16, 2005 -  
South Dayton Dump & Landfill ("Site"), Moraine, Ohio***

Dear Ms. Carney:

I am in receipt of your above referenced letter.

It is my belief that US EPA's determination that The Danis Companies (f/k/a Industrial Waste Disposal) may be responsible under CERCLA for cleanup of the site and/or for costs incurred by EPA in cleaning up the Site, is incorrect.

Industrial Waste Disposal Co., Inc. was an Ohio corporation that was purchased by Waste Management in 1983. The Danis Companies, Charter #738429, is an Ohio corporation that was originally incorporated on December 16, 1988 in the name of Danis Holding Co. On December 10, 1990, that name was changed to The Danis Companies. Thus, The Danis Companies (f/k/a Danis Holding Co.) was formed fully five years after Waste Management owned 100% of Industrial Waste Disposal Co., Inc.

I do not have any personal knowledge of whether Industrial Waste Disposal Co., Inc. was or was not a transporter to the Site. However, I do know that The Danis Companies (f/k/a Danis Holding Co.) was never an owner, operator of the Site nor a generator or transporter to the Site.

I would appreciate your review of this matter.

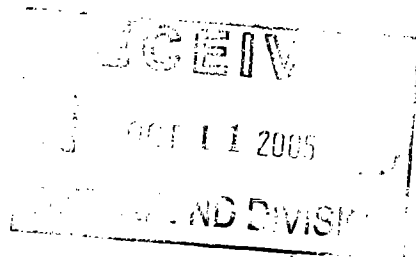
Sincerely,

Thomas J. Danis



The Danis Companies

Fifth Third Center  
Suite 1300  
110 N. Main Street  
Dayton, OH 45402



Fred Bartman, Enforcement Specialist  
U.S. Environmental Protection Agency  
Remedial Enforcement Support Section  
77 West Jackson Boulevard (SR-6J)  
Chicago, IL 60604-3590



60604+3590



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

The Danis Companies  
f/K/a Industrial Waste Disposal  
Attn: Thomas J Danis, CEO  
2 Riverplace Ste 400  
Dayton, OH 45405

2. Article Number

(Transfer from service label)

7001 0320 0005 8918 7054

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery

R McLaughlin 10-3-5

C. Signature

x Robin McLaughlin ☐ Agent ☒ Addressee

D. Is delivery address different from item 1? ☒ Yes

If YES, enter delivery address below: ☐ No

3. Service Type

- |   |   |
|---|---|
| <input type="checkbox"/> Certified Mail | <input type="checkbox"/> Express Mail                   |
| <input type="checkbox"/> Registered     | <input type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Insured Mail   | <input type="checkbox"/> C.O.D.                         |

4. Restricted Delivery? (Extra Fee)

☐ Yes